

REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; and I believe I am the original, first and joint inventor of the subject matter which is described and claimed in Patent Number 6,002,480, granted December 14, 1999, and for which a broadening reissue patent is sought on the invention entitled:

Title: **DEPTH-RESOLVED SPECTROSCOPIC OPTICAL COHERENCE TOMOGRAPHY**

the specification of which is attached hereto together with a preliminary amendment.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by the preliminary amendment filed therewith.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid by reason of the patentee claiming more or less than the patentee had the right to claim in the patent.

At least one error upon which reissue is based is described below. The reissue is a broadening reissue seeking broadened claims and an explanation as to the nature of the broadening is provided below.

The at least one error includes an inadvertent and unintentional failure during the prosecution of the original patent to appreciate the full scope of the invention and to include claims as broadly directed thereto as the applicants had a right to claim. New claims 16-61 presented in the aforementioned preliminary amendment are directed to such broader aspects.

For example, claim 40 is broader than claim 1 in that claim 40 does not include the feature that "the acquiring step includes the step of altering the distribution of scatterers within the sample with respect to the sample arm for substantially each acquisition".

All errors which are being corrected in this reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the applicant.

PRIORITY CLAIM

I hereby claim priority benefits under Title 35, United States Code, §119(e) in U.S. Provisional patent application Serial No. 60/048,237, filed June 2, 1997.

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Warren A. Sklar, Reg. No. 26,373; Don W. Bulson, Reg. No. 28,192; Jay R. Campbell, Reg. No. 33,660; Mark D. Saralino, Reg. No. 34,243; Jonathan A. Platt, Reg. No. 41,255; M. David Gallin, Reg. No. 41,767; Andrew Romero, Reg. No. 43,890.

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Renner, Otto, Boisselle & Sklar, LLP
1621 Euclid Ave., 19th Floor
Cleveland, Ohio 44115

Direct Telephone Calls To:

Warren A. Sklar

(216) 621-1113

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon, or any patent to which this declaration is directed.

| | | | |
|---|---|--------------|----------|
| Full Name of First Inventor: Joseph A. Izatt | | | |
| Inventor's signature: | <i>Joseph A. Izatt</i> | Date: | 12/14/01 |
| Residence: (City & State/Country): | Raleigh, North Carolina/US | Citizenship: | US |
| Post Office Address: | 10505 Leslie Drive, Raleigh, North Carolina 27615 | | |

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|---|--|--------------|-------|
| Full Name of Second Joint Inventor: Manish D. Kulkarni | | | |
| Inventor's signature: | | Date: | |
| Residence: (City & State/Country): | San Ramon, California/US | Citizenship: | India |
| Post Office Address: | 444 Countrybrook Loop, San Ramon, CA 94583 | | |

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|--|--|--------------|----|
| Full Name of Third Joint Inventor: Michael V. Sivak | | | |
| Inventor's signature: | | Date: | |
| Residence: (City & State/Country): | Cleveland Heights, Ohio/US | Citizenship: | US |
| Post Office Address: | 1431 Blackmore Road, Cleveland Heights, Ohio 44118 | | |

**CHECK FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH
FORM A PART OF THIS DECLARATION**

- ☐ Signature for additional joint inventors.
- ☐ Added page to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.
- ☒ This declaration ends with this page.

RENNER, OTTO, ROUSSELLE & SKLAR

Attorney Docket No. UNIVP111USA

PATENT

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FOOTNOTES

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|---|--|--------------|---------------|
| Full Name of Second Joint Inventor: Manish D. Kulkarni | | | |
| Inventor's signature: | <i>Manish D. Kulkarni</i> | Date: | DEC. 14, 2001 |
| Residence: (City & State/Country): | San Ramon, California/US | Citizenship: | India |
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1002004-124401

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